



Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
April 05, 2022

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:) Case No.: 21-14486-abl
)
INFINITY CAPITAL MANAGEMENT,) Chapter 7
INC.,)
) Adv. Proceeding No. 21-01167-abl
Debtor.)

HASELECT-MEDICAL RECEIVABLES) **Settlement Conference**
LITIGATION FINANCE FUND) Date: August 16, 2022
INTERNATIONAL SP,) Time: 9:30 a.m.
)
Plaintiff,) **Briefs Due: August 5, 2022**
)

v.) **Status Conference**
) Date: September 13, 2022
TECUMSEH-INFINITY MEDICAL) Time: 10:00 a.m.
RECEIVABLES FUND, LP,)
)

Defendant.)

TECUMSEH-INFINITY MEDICAL)
RECEIVABLES FUND, LP,)

Counter-Claimant,)

v.)

HASELECT-MEDICAL RECEIVABLES)
LITIGATION FINANCE FUND)
INTERNATIONAL SP, et al.,)

Counter-Defendants.)

ROBERT E. ATKINSON, *CHAPTER 7*)
TRUSTEE,)
 Counter-Claimant,)
 v.)
 TECUMSEH-INFINITY MEDICAL)
 RECEIVABLES FUND, LP,)
 Counter-Defendant.)

ORDER SCHEDULING SETTLEMENT AND STATUS CONFERENCES

A settlement conference is hereby ordered to commence on **August 16, 2022 at 9:30 a.m.**, before U.S. Bankruptcy Judge Paul Sala (“Settlement Conference Judge”) by remote appearance by means of a **video settlement conference**. A Courtroom Deputy will **email participants a link to the video conference** five (5) days before the settlement conference with the necessary information to connect for remote participation.

Further, the court orders:

A. DEADLINES

1. **Exchanging Written Settlement Offers:** The parties shall exchange written settlement offers no later than ten (10) business days before the settlement conference.
2. **Settlement Conference Brief:** Each party shall submit a confidential settlement conference brief (“Settlement Conference Brief”) **via email** to the Settlement Conference Judge no later than seven (7) business days (**August 5, 2022**) before the settlement conference.

B. SETTLEMENT CONFERENCE BRIEF

The purpose of the Settlement Conference Brief is to assist the Settlement Conference Judge in preparing for and conducting your settlement conference. Therefore, your utmost candor is required.

Your Settlement Conference Brief shall be no longer than ten (10) double-spaced pages, and it must contain the following:

1. A brief statement of the nature of the action;
2. A concise summary of the evidence that supports your theory of the case,

including information documenting any claim for damages. You may attach a limited number of documents or exhibits, not to exceed a total of 50 pages, that are especially relevant to key factual or legal issues;

3. A brief analysis of the key issues involved in the litigation;
4. A discussion of the strongest points in your case, both legal and factual, and a frank discussion of the weakest points as well. The court expects you to present a candid evaluation of the merits of your case;
5. A further discussion of the strongest and weakest points in your opponent's case, but only if they are more than simply the converse of the weakest and strongest points in your case;
6. Your most recent settlement offer and a history of settlement discussions, which details the demands and offers that have been made. Include the reasons any demands or offers have been rejected;
7. The settlement proposal that you believe would be fair; and
8. The settlement proposal that you would be willing to make in order to conclude this matter and stop the expense of litigation.

C. SUBMITTING THE SETTLEMENT CONFERENCE BRIEF

The court will strictly maintain the confidentiality of each Settlement Conference Brief submitted in accordance with the terms of this Order. Observe the following rules for submitting the Settlement Conference Brief to the Settlement Conference Judge:

1. **Email:** a PDF of the hard copy to **Judge Sala's Chambers**, at Paul_Sala@azb.uscourts.gov as well as Leslie_Hendrix@azb.uscourts.gov with a caption in the heading, "CONFIDENTIAL SETTLEMENT BRIEF [NAME OF CASE/ADVERSARY]."
2. DO NOT DELIVER A PAPER COPY to Chambers.
3. DO NOT ELECTRONICALLY FILE with the court.
4. DO NOT serve a copy on opposing counsel.
5. DO NOT mail it.

6. DO NOT deliver it to the Clerk's Office.

Sanctions will be imposed for Settlement Conference Briefs not submitted in compliance with this Order.

D. ATTENDANCE REQUIREMENTS

All counsel of record who will be participating in the trial of this case, or evidentiary hearing, all parties appearing pro se, if any, and all individual parties must be present. In the case of non-individual parties, counsel shall arrange for a representative with binding authority to settle to be present in court for the duration of the settlement conference. Any requested exception to the attendance requirements must be submitted to the Judge assigned to this case for approval in advance of the settlement conference.

Failure to participate will result in the imposition of sanctions.

E. VACATING OR CONTINUING A SETTLEMENT CONFERENCE, OR INFORMING THE COURT THAT THE MATTER HAS SETTLED

The settlement conference shall not be continued or vacated without prior approval of the Judge assigned to the case.

To vacate the settlement conference, the parties must notify the courtroom deputy of the Judge assigned to the case. A stipulation and proposed order vacating the settlement conference must be uploaded. The order must be signed by the Judge before the settlement conference is removed from calendar.

If the matter has been settled before the date of the settlement conference, the parties must immediately notify the courtroom deputy of the Judge assigned to the case so that the matter may be removed from calendar.

To request a continuance, the parties must notify the courtroom deputy of the Judge assigned to the case so a later date for a settlement conference can be obtained.

F. FOLLOW UP STATUS CONFERENCE

IT IS FURTHER ORDERED that a status conference shall be held on **September 13, 2022 at 10:00 a.m.**, at the Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada, Courtroom #1, before Chief U.S. Bankruptcy Judge August B. Landis.

1 IT IS SO ORDERED.

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3 Copies sent to all registered parties via CM/ECF Electronic Notice.

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